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STATE

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 INFO RUEHKO/AMEMBASSY TOKYO 0000
 RUEKJCS/ JCS WASHDC 0000
 RUEKJCS/ SECDEF WASHDC//USDP 0000
 RUHQHQA/CINCPAC HONOLULU
 RUAGAAA/COMUSKOREA SEOUL KS//CJ-CC/BJ-PL-H/SJS/
 RUAGAAA/CHJUSMAG SEOUL KS
 RUAGAAA/SA CINCUN KS
 RUAGAAA/CINCUNC SEOUL KOR//UNCMAC/
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EZ1:

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EZ2:

CINCPAC FOR CARL TAYLOR

E.O. 12356:DECL:OADR

TAGS:PGOV, PHUM, PINS, KS, US

SUBJECT: POSSIBLE LEGAL ACTION AGAINST THE RDP

REF: STATE 147865

1. (S) - ENTIRE TEXT.

2. IN THE ABSENCE OF ASSISTANT SECRETARY SIGUR, WHO WAS
 TESTIFYING BEFORE CONGRESS, AND AMBASSADOR KIM, WHO WAS
 OUT OF TOWN, DAS CLARK CALLED IN KOREAN MINISTER HAN TAK
 CHAE MAY 14 AND DELIVERED THE TALKING POINTS CONTAINED
 REFTEL.

3. IN CONVEYING USG CONCERN, WHICH HE SAID STEMS FROM
 RECENT POLITICAL TRENDS RATHER THAN A SINGLE EVENT, CLARK
 EMPHASIZED THE FOLLOWING:

--USG HAS WORKED TO STAY NEUTRAL. WE HAVE TAKEN A
 PRINCIPLED POSITION, BUT NOT SIDES.

--WE HAVE SUPPORTED THE PRESIDENT'S STATED GOALS:

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*DAS Clark's
 memo*

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PEACEFUL TRANSITION AND POLITICAL EVOLUTION.

--OUR PUBLIC AND PRIVATE STATEMENTS HAVE EMPHASIZED REFORM, NOT CONSTITUTIONAL CHANGE.

--RECENT DEVELOPMENTS HAVE MADE IT MORE DIFFICULT TO STAY NEUTRAL: THE CUTOFF OF DEBATE, TIGHTENING OF KIM DAE JUNG'S HOUSE ARREST AND HARRASSMENT OF RDP PARTY ORGANIZING EFFORTS. NOW COMES THE POSSIBILITY OF LEGAL ACTION AGAINST THE RDP AND/OR KIM YOUNG SAM.

--IF LEGAL ACTION IS TAKEN IT WILL BE VERY HARD FOR USG TO STAY NEUTRAL.

--SIGUR, CLARK AND OTHERS HAVE REITERATED TO CONGRESS CHUN'S STATED INTENTION TO MOVE TOWARD A MORE OPEN POLITICAL PROCESS.

--AS RECENTLY REAFFIRMED AT THE SCM, THE NEXT TWO YEARS WILL BE DELICATE. IT IS IMPORTANT TO AVOID FRICTION BETWEEN US.

--IF ACTION IS TAKEN AGAINST RDP, WE WOULD HAVE TO TAKE A CRITICAL STANCE. THE TWO GOVERNMENTS COULD GET OUT OF SYNC.

--IF THE RDP PLATFORM IS ABHORRENT TO THE KOREAN PEOPLE, THIS POLITICAL PROBLEM CAN BE DEALT WITH THROUGH POLITICAL MEANS. IF LEGAL MACHINERY IS USED INSTEAD IT WILL BE HARD TO EXPLAIN.

4. HAN SAID HE WILL REPORT THIS IMPORTANT CONVERSATION PROMPTLY. MEANWHILE HE OFFERED THE FOLLOWING OBSERVATIONS:

--THE ROKG/DJP TRIED ITS BEST TO ACHIEVE COMPROMISE BEGINNING IN APRIL 1986, TO NO AVAIL.

--THE POLITICAL STALEMATE IS MAINLY DUE TO OPPOSITION INTRANSIGENCE.

--WHEN THE OPPOSITION PARTY SPLIT, THE PEOPLE BECAME CONCERNED THAT COMPROMISE WAS NOT POSSIBLE, AND TIME WAS BECOMING A FACTOR. THE PEOPLE RECOGNIZED THAT THE ROKG HAD NO CHOICE BUT TO CUT OFF DEBATE.

--THE ROKG SEEKS PROGRESS, NOT REGRESSION. AFTER THE OLYMPICS DIALOGUE ON CONSTITUTIONAL REVISION WILL RESUME. MEANWHILE LOCAL AUTONOMY, PRESS LAW REVISION AND AMNESTY WILL PROCEED.

--THE NORTH KOREAN THREAT MUST BE TAKEN INTO ACCOUNT, AND SOCIAL STABILITY IS A PREREQUISITE FOR POLITICAL PROGRESS.

--RADICALS AND SOME IN THE OPPOSITION ADVOCATE PEOPLE POWER.

--IN THE LONGER RUN THERE IS PROGRESS EVEN IF THERE ARE SHORT RUN HITCHES.

--THE ROKG'S CONCERN WITH THE RDP PLATFORM IS THAT UNIFICATION TRANSCENDING IDEOLOGY COULD MEAN UNIFICATION VIETNAM-STYLE, UNDER COMMUNISM.

5. CLARK POINTED OUT THAT LAST WEEK'S SCM MADE CLEAR USG SUPPORT FOR KOREAN SECURITY. NOW WE ARE TALKING ABOUT THE UNDERPINNING FOR THAT SUPPORT, NAMELY THE AMERICAN PERCEPTION THAT THE ROKG IS DEDICATED TO A MORE OPEN

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SYSTEM. WHILE WE ARE ASSURED THAT LOCAL AUTONOMY ETC. WILL HAPPEN IN THE FUTURE, THE ACTION CONTEMPLATED NOW IS DISSOLUTION OF THE OPPOSITION PARTY. THE USG KEEPS SECURITY ISSUES SEPARATE FROM POLITICS, BUT OTHERS DO NOT. STEPS AGAINST THE RDP WOULD ERODE SUPPORT FOR THE GOVERNMENT. IF IN FACT WHAT THE RDP HAS SAID IN ITS PLATFORM IS AGAINST THE NATIONAL CONCENSUS, THE PEOPLE WILL REJECT IT. WE HAVE NO INTENT TO THREATEN THE ROKG, ONLY TO EXPRESS OUR SERIOUS CONCERN.

6. IN MAKING THE POINTS CONTAINED REFTTEL, AMBASSADOR MAY WISH TO POINT OUT THE DIFFICULTIES DESCRIBED IN PARA TWO WHICH PRECLUDED WHAT OTHERWISE WOULD HAVE BEEN A SIGUR-KIM CONVERSATION. ARMACOST

END OF MESSAGE

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